

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

FILED

FEB 27 2013

CLERK, U.S. DISTRICT COURT  
NORFOLK, VA

CIT SMALL BUSINESS  
LENDING CORP.,

Plaintiff,

v.

ACTION NO. 2:12cv505

CORE HOLDINGS, LLC,  
NICOLE CARRY,  
AND  
PATRICIA NESMITH,

Defendant.

ORDER

This matter comes before the court on plaintiff's Motion for Default Judgment (ECF No. 8), filed on November 26, 2012. The matter was referred to a United States Magistrate Judge by Order of January 2, 2013 (ECF No. 10), pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the motion.

The United States Magistrate Judge's Report and Recommendation was filed on February 7, 2013 (ECF No. 16). The magistrate judge recommended granting plaintiff's Motion for Default Judgment against defendants, Core Holdings, LLC and Nicole Carry.

By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written

objections thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired. The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed February 7, 2013. Accordingly, the plaintiff's Motion for Default Judgment against defendants Core Holdings, LLC and Nicole Carry, jointly and severally, is **GRANTED**, in the total amount of \$177,687.83, plus \$1,074.36 (per diem interest at the rate of \$25.58 from January 17, 2013, to February 28, 2013), with interest to accrue at the judgement rate thereafter.

This matter was stayed as to defendant, Patricia Nesmith, pending the resolution of her bankruptcy proceeding. Accordingly, the parties are **DIRECTED** to show cause within fourteen (14) days of the date of this Order why this case should not be administratively closed on this court's docket, to be reopened as appropriate pending the outcome of the bankruptcy proceeding of Patricia Nesmith.

The Clerk shall forward a copy of this Order to all parties of record.

It is so ORDERED.

/s/  
Rebecca Beach Smith  
Chief  
United States District Judge 

REBECCA BEACH SMITH  
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
February 27, 2013